

EPA R8 actions on SIP related issues

-UGRB designated nonattainment for ozone in May 2012. One year grace period from general conformity began when designations became effective in July 2012. Grace period ended in July 2013.

-EPA took final action approving Wyoming's GC SIP revision. Proposed action published on May 7, 2013. Final action published on August 15, 2013, effective September 16, 2013.

-Our action on the SIP approved Wyoming's adoption of the 2010 federal GC regulations. This included the additional exemption for stationary sources with a minor source permit.

NEPA issues/activities

-Concurrent to the SIP actions, R8 Air and NEPA programs have been involved in commenting on the NPL pre-DEIS as it relates to GC. Our comments were sent to BLM's Jim Speck on 1/10/14. Ex. 5 - Deliberative Process comments were:

- "We recommend that the BLM and Encana ensure that WDEQ permitted emission sources meet the stationary source requirements of the general conformity exemption described in WAQSR Chapter 8, Section 3(c)(iv)(A). We note that WDEQ issues WAQSR Chapter 6 air quality permits for sources that do not qualify as stationary sources for the purposes of WAQSR Chapter 8, Section 3(c)(iv)(A). EPA has previously advised both the BLM and State with our Ex. 5 - Deliberative Process his issue. We recommend that the reference in line 14, on page 3-6, to 40 CFR 93.153(d) be replaced with WAQSR Chapter 8, Section 3(c)(iv)(A)."
- "It is indicated that the BLM must include a conformity determination with its Record of Decision (ROD) for the alternative selected. As stated, this timing for the conformity determination is certainly allowed; however, we recommend that consideration be given to providing the conformity determination earlier perhaps concurrently with the Final EIS."

-R8 Air and NEPA programs have also been working with BLM on a GC Exemption List and a Presumed to Conform list of sources and activities.

- **Referred to BLM**
- R8 Air and NEPA programs worked the issue with ORC and provided an email back to Charis on 6/11/13 (email from Suzanne Bohan to Charis).
- We had a follow up meeting w/ Charis to discuss our comments on 6/12/13 (see if Tim has notes from that call)
- **Referred to BLM**
Referred to BLM We provided a response on the issue on 8/29/13 (email from Scott to Charis)
- **Referred to BLM**

- We responded on 9/11/13 with comments, from Scott to Charis on the 2nd draft of the Exemption List.
- Held a conference call with BLM and DEQ on 9/16
- Have not seen any updates since we sent over the comments on 9/11/13 and had the 9/16/13 call. Vanessa sent us an email in Feb. 2014 saying that Charis told her we should be seeing the Presumed to Conform list in the next couple months.
- January 31, 2014 – DEQ letter to BLM about minor source permits and how they meet the GC exemption criteria.